



**DAVID W. PRATER**

DISTRICT ATTORNEY

**SCOTT ROWLAND**

FIRST ASSISTANT DISTRICT ATTORNEY

November 2, 2012

Chief Bill Citty  
Oklahoma City Police Department  
701 Colcord Dr.  
Oklahoma City, OK 73102

**Re: OCPD Incident Number 12-50730**

Dear Chief Citty:

This office has reviewed the events of June 19, 2012, reported by your department under the above incident number. The case involved OCPD Sgt. Doug Grady, #1577 and Officer Jeff Coffee, #1668. The incident occurred in Oklahoma City, Oklahoma County, Oklahoma.

Officer Coffee was driving his patrol unit with his partner, Officer Michael Anderson. At approximately 1325 hrs. the officers observed a Lincoln Town Car's driver commit a minor traffic violation. Coffee engaged his emergency lights in an effort to initiate a traffic stop. The driver of the Lincoln, later identified as Robin L. Howard, was observed by officers to look in his rear-view mirror. It was apparent that Howard saw the patrol vehicle with its emergency lights activated.

The officers initially believed that Howard was going to stop, but he continued driving for approximately two blocks then pulled around another moving vehicle and began attempting to elude the officers. The officers gave chase. The pursuit was relatively short and ended in the backyard of a house when Howard lost control and struck a metal clothesline pole.

Robin Howard immediately exited the Lincoln and began to run along the side of the house at 1412 Monticello Ct., in an attempt to escape the officers on foot. As Howard exited his vehicle, Officer Coffee noticed a silver object in his hand. Officer Coffee caught Howard as he reached a chain-link fence. Though Coffee was aware of the silver object in Howard's hands, he did not use his Taser or Handgun because Howard had not addressed the officers with the object (It should be noted that after Mr. Howard's arrest, the "silver object" was determined to be a cell phone).

**EXHIBIT**

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Officer Coffee grabbed Howard by the shoulders and pulled him to the ground in an attempt to control him and place him in custody. Howard's hands were underneath him at about waist level. An assisting officer, Sgt. Grady approached the incident from the other side of the fence. He jumped the fence and attempted to assist Coffee. Grady noticed Howard's hands near his waist. Both officers were commanding Howard to move his arms from under his body and show his hands. He refused. Howard actively resisted by attempting to escape from the officers and kicking at the officers to create distance between him and the officers.

As Howard continued to resist, the officers used knee strikes in an attempt to subdue him. After a series of knee strikes Howard moved his hands from under his body. Sgt. Grady secured Howard's right arm and Officer Coffee secured Howard's left arm. As Coffee pulled Howard's hand behind his back to handcuff him, he heard a "Snap" or a "Pop" come from his left arm. Howard was handcuffed without further incident.

Robin Howard refused medical treatment at the scene, but out of an abundance of caution, officers decided to transport Howard to the hospital in their patrol unit. Howard was treated by medical personnel and admitted to the hospital. Mr. Howard died on June 24, 2012. The Medical Examiner's Office determined the Probable Cause of Death to be: Acute Pneumonia due to Chest Trauma, Blunt Force. The Manner of Death was determined to be homicide.

I have reviewed the investigative reports, photographs, witness statements, and other documents contained in the Officer Involved Case Book presented to my office. In my opinion there exists inadequate evidence to establish probable cause that a crime has been committed by any law enforcement officer involved in the arrest of Robin L. Howard.

Respectfully,

A handwritten signature in dark ink, appearing to read 'D. W. Prater', written over a horizontal line.

David W. Prater